

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute Form 1449A/PTO

(use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

**Complete if Known**

Application Number	10/023066
Filing Date	December 17, 2001
First Named Inventor	SAVERIO CARL FALCO
Group Art Unit	1638
Examiner Name	Elizabeth F. McElwain
Attorney Docket Number	BB1037USDIV1

[illegible][illegible]

**Examiner  
Signature**

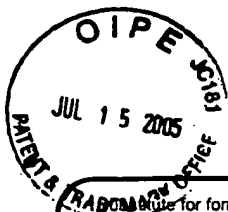
Σ 7 M = 2

Date  
Considered

1/4/06

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PTO/SB/088 (08-03)

Approved for use through 07/31/2008, OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete If Known</b>	
		Application Number	10/023066
Sheet	of	Filing Date	December 17, 2001
		First Named Inventor	SAVERIO CARL FALCO
		Group Art Unit	1638
		Examiner Name	
		Attorney Docket Number	BB1037USDIV1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
EM		Karchi, H. et al., Lysine synthesis and catabolism are coordinately regulated during tobacco seed development, Proc. Natl. Acad. Sci. USA, Plant Biology, 91, 2577-2581, March 1994	<input type="checkbox"/>
EM		Ghislain, M. et al., A dinucleotide mutation in dihydrodipicolinate synthase of Nicotiana sylvestris leads to lysine overproduction, The Plant Journal, 8(5), 733-743, 1995	<input type="checkbox"/>
EM		Silk, Gregg W. et al., Cloning and expression of the soybean DapA gene encoding dihydrodipicolinate synthase, Plant Molecular Biology, 26, 289-993, 1994	<input type="checkbox"/>
EM		Brinch-Pedersen, Henrick et al., Engineering of the aspartate family biosynthetic pathway in barley (Hordeum vulgare L.) by transformation with heterologous genes encoding feed-back-insensitive aspartate kinase and dihydrodipicolinate synthase, Plant Molecular Biology, 32, 611-620, 1996	<input type="checkbox"/>
EM		Pisabarro, A. et al., A Cluster of Three Genes (dapA, orf2, and dapB) of Brevibacterium lactofermentum Encodes Dihydrodipicolinate Synthase, Dihydrodipicolinate Reductase, and a Third Polypeptide of Unknown Function, Journal of Bacteriology, 175, No. 9, 2743-2749, May 1993	<input type="checkbox"/>
EM		Amuda, P. et al., Lysine-Ketoglutarate Reductase Activity in Developing Maize Endosperm, Plant Physiology, Vol. 69, P. 988-989, 1982	<input type="checkbox"/>
EM		National Center for Biotechnology Information General Identifier No. 2052507, Accession No. U95759, January 16, 1998, S. Epelbaum et al.,	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Examiner Signature	EM	Date Considered	1/4/06
-----------------------	----	--------------------	--------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.